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EXAMINER

HARRIS, CHANDA L

ART UNIT PAPER NUMBER

3714

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/058,276

Applicant(s)

SAKAI ET AL.

Examiner

Chanda L. Harris

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 January 2002 and 02 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 14-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election without traverse of Group I (Claims 1-13) in Paper No. 6 is acknowledged.

### ***Specification***

The disclosure is objected to because of the following informalities:

- Page 13, line 25: There is a word missing between "respectively" and "the". Perhaps it should be "by".
- Page 16, lines 21-22: "as the follow" should be "as follows".
- Related applications as are disclosed on page 52, lines 7-11 should be placed before BACKGROUND OF THE INVENTION under a section entitled CROSS-REFERENCE TO RELATED APPLICATIONS.

Appropriate correction is required.

### ***Claim Objections***

Claim 9 is objected to because of the following informalities: "detection of that each" should be "detection that each of". Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is not clear what exactly Applicant means to claim because in Claim 1, Applicant discloses a second reader, a second display unit, and a second writer. However, there is no mention of a first reader, a first display unit, or a first writer in Claim 1. In Claim 3, it is not clear exactly what Applicant means by “wherein the *lecturer-written information* is displayed to the plurality of listener terminals, together with the *lecturer-written information*.” (emphasis added) Is the lecturer-written information displayed together with itself? Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Mortimer et al. (US 6,091,930).**

1. [Claim 1]: Regarding Claim 1, Mortimer discloses a lecturer terminal (i.e. professor CIT book) which is used by a lecturer in a lecture and a plurality of listener terminals (i.e. students' CIT books) which are used respectively by a plurality of listeners in the lecture. See Col.6: 7-12. Mortimer discloses wherein said lecturer terminal comprises a first input unit which includes an input panel (i.e. text module) and inputs lecturer-written information (i.e. textual data) written by the lecturer on the input panel and a written-information sender (i.e. transmitter) which sends the lecturer-written information input by said first input unit to said plurality of listener terminals. See Col.8: 18-26 and Col.14: 51-66. Mortimer discloses each of said plurality of listener terminals comprises a second reader (i.e. audio/video module) which reads out textbook information representing contents of a textbook (e.g. audio files, text, images, animation) from a listener recording medium (e.g. laser disk, CD-ROM) recording the textbook information. Col.9: 2-12, 45-49. Mortimer discloses a second display unit which has a listener page and displays the textbook information and the lecturer-written information supplied from said written-information sender on the listener page. See FIG. 6D. Mortimer discloses a second writer which records the lecturer-written information (e.g. notes or highlighted text) displayed by said second display unit on the listener recording medium. See Col.14: 58-66.

2. [Claim 2]: Regarding Claim 2, Mortimer discloses wherein said lecturer terminal further includes a first reader (i.e. presentation module) which reads out the textbook information from a lecturer recording medium (e.g. educational knowledge base) recording the textbook information. See Col.6: 37-67. Mortimer discloses a first display unit which has a lecturer page, and displays the textbook information on the lecturer page. See FIG.3, (50) and Col.6: 6-10. Mortimer discloses an index sender (i.e. link manager) which sends index information for specifying a range in which the textbook information is to be displayed (i.e. series of topics or chapters of a selected subject in a predetermined primary sequence) to the plurality of listener terminals; and said second reader reads out the textbook information in the range specified in the index information from the listener recording medium. See Col.19: 6-16.

3. [Claim 3]: Regarding Claim 3, Mortimer discloses wherein said input panel is arranged on the lecturer page. See Col.8: 18-26. Mortimer discloses said first display unit displays the lecture-written information in a position where the lecturer has written the lecture-written information; said written information sender sends position information representing a position wherein the lecturer-written information is displayed to the plurality of listener terminals, together with the lecturer-written information; and said second display unit displays the lecturer-written information (e.g. notes or highlighted text) in the position specified in the position information. See Col.14: 56-66. The sending of position information and displaying information in the position specified in the position information would have been inherent features of Mortimer's invention.

4. [Claim 4]: Regarding Claim 4, Mortimer discloses each of said lecturer recording medium and said listener recording medium records lecture information representing lecture contents regarding the contents of the textbook (e.g. audio and video information). See Col.9: 3-6, 45-49. Mortimer discloses said first reader reads out the lecture information together with the textbook information. See Col.6: 37-42. Mortimer discloses wherein said first display unit divides the lecturer page into a plurality of areas (e.g. an area for entering notes and an area for displaying text) and displays the textbook information and the lecture information respectively in the plurality of areas. See Col.14: 56-66. Mortimer discloses said second reader reads out the lecture information together (e.g. video and audio tracks) with the textbook information. See Col.9: 2-12. Mortimer discloses said second display unit divides the listener page into a plurality of areas and displays the textbook information and the lecture information respectively in the plurality of areas. Col.14: 61-66 and FIG.6D.
5. [Claim 5]: Regarding Claim 5, Mortimer discloses wherein said lecturer terminal further includes a first writer which records the lecturer-written information displayed by said first display unit on said lecturer recording medium. See Col.9: 35-49.
6. [Claim 6]: Regarding Claim 6, Mortimer discloses wherein each of said plurality of listener terminals further includes a second input (i.e. notes module) which inputs listener-written information written by each of the plurality of listeners on the listener page. See Col.10: 59-64. Mortimer discloses said second display unit displays the listener-written information in a position (i.e. within margins of the displayed text) where

each of the plurality of listeners has written the listener-written information. See Col.10: 59-62.

7. [Claim 7]: Regarding Claim 7, Mortimer discloses wherein said second writer records a plurality a plurality of information pieces displayed by said second display unit on the listener recording medium, as a single file. See Col.14: 58-66.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 8-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mortimer in view of Richter et al. (US 6,615,020).**

1. [Claims 8-10, 13]: Regarding Claims 8-10 and 13, Mortimer discloses said marking terminal further includes a result sender (i.e. gamer) which sends a marked result (i.e. message). See Col.25: 24-25.

Mortimer does not disclose expressly an attendance-management terminal which manages attendance of each of the plurality of listeners and wherein each of the plurality of listener terminals further includes an attendance-information sender which sends attendance information representing that each of the plurality of listeners has attended the lecture to said attendance-management terminal, in response to a predetermined operation of each of the plurality of listeners and said attendance-



management terminal obtains percentage (i.e. classes in which the student was present) of each of the plurality of listeners' attendance, using the attendance information supplied from each of said plurality of listener terminals. In addition, Mortimer does not disclose expressly each of said plurality of listeners further includes a detector (i.e. prompt) which detects that each of the plurality of listeners has touched the listener page; and said attendance-information sender sends the attendance information to the attendance-management terminal, upon detection that each of the listeners has touched the listener page (i.e. struck a key). Mortimer does not disclose expressly a credit-management terminal (i.e. audit trail system) which determines whether a user has passed a course, and wherein said credit-management terminal comprises a database (inherent) which stores an exam result (i.e. performance) of each of the plurality of listeners, an acquirer (i.e. audit trail system) which acquires the percentage of each of the listeners' attendance from said attendance-management terminal, and a credit determiner (i.e. audit trail system) which determines which determines whether each of the listeners has passed a course, based on the exam result and the percentage of each listener's attendance. Mortimer does not disclose expressly sending a marked result of said marker to said credit-management terminal (i.e. audit trail system) , as the exam result (i.e. performance) of each of the listeners. However, Richter teaches such in Col.3: 59-Col.4: 13, 28-33. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitations into the method and system of Mortimer, in light of the

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teaching of Richter, in order to ensure that a plurality of listeners meet educational requirements.

2. [Claim 11]: Regarding Claim 11, Mortimer discloses wherein said listener recording medium records exam questions (i.e. questions) from the listener recording medium; said second reader reads out the exam questions from the listener recording medium; and said second display unit displays the exam questions on the listener page. See Col.25: 15-42.

3. [Claim 12]: Regarding Claim 12, Mortimer discloses a marking terminal (i.e. gamer) which marks answers (i.e. keeps track of correct and incorrect answers) of each of the listeners to the exam questions. See Col.25: 26-27. Mortimer discloses wherein each of the plurality of listener terminals further includes an answer acquirer (i.e. gamer) which acquires answers that each of the listeners writes on the listener page, and an answer sender (i.e. gamer) which sends the answers acquired by said answer acquirer to said marking terminal. See Col.25: 21-24. Mortimer discloses said marking terminal comprises a memory (inherent) which stores correct answers of the exam questions. See Col.25: 22-24. Mortimer discloses a marker which marks the answers of each of listener terminals, using the correct answers stored in said memory. See Col.25: 22-24.

### ***Citation of Pertinent Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Joao (US 2003/0110215)
  - providing educational materials and/or related services in a network environment
- Aggarwal et al. (US 6,381,444)
  - virtual classes
- Pellegrino et al. (US 6,149,441)
  - student home page
- Wilson et al. (US 3,924,339)
  - interactive teaching system
- Abrahamson et al. (US 5,002,491)
  - automated roll-taking function
- Helmick et al. (US 6,470,171)
  - notebook feature
- Thean et al. (US 6,397,036)
  - presenter and audience subsystems
- Stephens et al. (US 6,261,103)
  - lecture notes
- Sallette (US 6,155,840)
  - classroom environment modules
- Mandri (US 6,549,751)
  - electronic textbook
- Linton (US 6,496,681)
  - a calculated participation percentage


- Azumi et al. (JP 402059784A)
  - attendance management device
- Nobles et al. (US 4,820,167)
  - attendance reports
- Remschel (US 6,411,796)
  - attendance records

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanda L. Harris whose telephone number is 703-308-8358. The examiner can normally be reached on M-F 6:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

  
Chanda L. Harris  
Examiner  
Art Unit 3714

ch.